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NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK and JOE DEELY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN EARL CAMPBELL,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK, JOE DEELY,
and DOES 1-15, inclusive,

Defendants.

Case No. C05-05434 MJJ (EDL)

**DEFENDANT NATIONAL RAILROAD
PASSENGER CORPORATINO'S
SEPARATE STATEMENT OF
DOCUMENT REQUESTS IN DISPUTE
IN OPPOSITION TO PLAINTIFF'S
MOTION TO COMPEL**

Complaint Filed: 12/30/05
FAC Filed: 2/23/06
Trial: 7/23/2007

Original Hearing Date: May 8, 2007

Rescheduled

Hearing Date: May 1, 2007
Hearing Time: 9:00 a.m.
Dept.: Courtroom E, 15th Floor

Magistrate Judge Elizabeth D. Laporte

DISCOVERY MATTER

Pursuant to Local Rule 37-2, Defendant NATIONAL RAILROAD PASSENGER CORPORATION (aka AMTRAK) provides a listing of the document requests in dispute and the responses verbatim. The reasons to deny Plaintiff's Motion to Compel is included in Amtrak's Opposition memorandum and the accompanying Supplemental Declaration of Cara Ching-Senaha filed and served concurrently herewith.

REQUEST NO. 22:

All **DOCUMENTS THAT REFLECT, REFER or RELATE TO** the identification of each African-American conductor who applied for an engineer position in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 ("[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims."); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. Subject to and without waiving the foregoing, Amtrak responds as follows:

Notwithstanding Amtrak's objections above, Amtrak previously produced applications and related records that it received in response to the jobs/vacancies to which Plaintiff contends he applied. To the extent any African-American conductor applied for any such position, such

1 application and supporting documentation were produced.

2 **REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:**

3 None provided by Plaintiff.

4 **REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:**

5 **A. Plaintiff Failed to Meet and Confer In Good Faith**

6 Before any motion to compel as a result of an alleged failure to provide or participate in
7 discovery can be filed, the parties must make good faith attempts to resolve the matter informally.
8 Fed.R.Civ.Proc. 37(B); Local Rule 37-1(a). As part of the good faith requirement, a party must
9 meet and confer and allow sufficient time for the parties to discuss and explore informal
10 resolution of their differences before any motion to compel is filed. *Obregon v. Superior Court*,
11 67 Cal.App.4th 424, 428 (1998); Local Rule 37-1(a).

12 In this case, Plaintiff's counsel waited more than three weeks after Amtrak served its
13 responses to contact defense counsel in a so-called effort to "meet and confer." (Ching-Senaha
14 Suppl. Decl. and Exh. A thereto) In her March 30th letter, Plaintiff's counsel demanded that
15 defense counsel respond and supplement Amtrak's responses within three business days. (*Id.*)
16 Plaintiff's demand was per se unreasonable. *Obregon v. Superior Court*, 67 Cal.App.4th 424, 428
17 (1998).

18 Meeting and conferring in good faith is a mandatory prerequisite to bringing any motion
19 to compel. The unreasonableness of Plaintiff's counsel's position was compounded by the fact
20 that Plaintiff's counsel *knew* that defense counsel was working on Defendants' motions for
21 summary judgment and was fully dedicated to completing the motions by April 3rd. (Ching-
22 Senaha Suppl. Decl.)

B. Even if Plaintiff Had Met and Conferred in Good Faith, the Requests Should Be Denied.

1. Plaintiff Does Not Allege Disparate Impact Discrimination; Therefore, Disparate Impact Discovery Is Not Appropriate

There are two basic theories to proving intentional discrimination in employment. The first (and most common) is a disparate treatment theory, whereby a plaintiff alleges that his or her employer intentionally discriminated against him or her because of a protected characteristic. In doing so, the plaintiff bears the burden of proving discriminatory intent.

The second theory of proving discrimination is known as “disparate impact,” which does not require proof of an intent to discriminate, but is based on a showing that an employer’s neutral employment practice has a statistically-significant adverse impact on particular members of a protected class (without similarly adversely affecting other protected groups) for which no legitimate business reason can be articulated or for which there exists no overriding legitimate business purpose for the necessary and safe or efficient operation of the business. Wards Cove Packing Co., Inc. v. Atonio, 490 U.S. 642, 645-646, 109 S.Ct. 2115, 2118-19 (1989).

In his First Amended Complaint, Plaintiff refers only to his own failed promotion attempts and his discharge. (He falsely alleges that Amtrak has hired nor promoted not one African-American to Engineer since 1998, an allegation that is demonstrably and undisputedly false.) Plaintiff does not allege a disparate impact theory of discrimination which must be specifically pled in the operative complaint. Therefore, disparate impact discovery is neither appropriate nor relevant in this case.

2. All of The Documents That Plaintiff Seeks Are Relevant to Expert Witness Discovery Only, Which Plaintiff Has Elected Not to Pursue

In disparate impact cases, the plaintiff has the burden of proving that a specific employment policy or practice disparately impacts a protected group, e.g., African Americans. In offering such evidence, the Court focuses on the “racial composition of the [at-issue jobs] and the racial composition of the qualified ... population in the relevant labor market,” or “the otherwise-qualified applicants for at-issue jobs.” Wards Cove Packing Co., Inc. v. Atonio, 490 U.S. 642,

1 650-51, 109 S.Ct. 2115, 2121 (1989); Dothard v. Rawlinson, 433 U.S. 321 (1977).

2 In Wards Cove Packing Co., Inc. v. Atonio (1989) 490 U.S. 642, 650-51, 109 S.Ct. 2115,
3 2121, the United States Supreme Court rejected a plaintiff's attempt to establish a prima facie
4 case of disparate impact through statistics merely showing a low percentage of African American
5 employees versus Caucasian employees in the at-issue job:

6 The Court of Appeals' theory, at the very least, would mean that any
7 employer who had a segment of his work force that was— for some
8 reason— racially imbalanced, could be haled into court and forced to
9 engage in the expensive and time-consuming task of defending the
10 'business necessity' of the methods used to select the other members of his
work force. The only practicable option for many employers would be to
adopt racial quotas, insuring that no portion of their work forces deviated
in a racial composition from the other portions thereof; this is a result that
Congress expressly rejected in drafting Title VII.

11 Id., 409 U.S. at 652, 109 S.Ct. at 2115.

12 The Court further stated that even a statistically significant showing of under
13 representation is still insufficient to establish a prima facie case, absent a showing of causation:

14 [E]ven if . . . respondents can show that nonwhites are underrepresented in
15 the at-issue jobs in a manner that is acceptable under the standards set
16 forth in Part II, supra , this alone will not sufficient to make out a prima
17 facie case of disparate impact . Respondents will also have to demonstrate
18 that the disparity they complain of is the result of one or more of the
employment practices that they are attacking here, specifically showing
that each challenged practice has a significantly disparate impact on
employment opportunities for whites and nonwhites.

19 Id., 409 U.S. at 657, 109 S.Ct. at 2125 (emphasis added).

20 Statistical evidence to support a disparate impact claim can only be introduced through
21 competent, admissible expert testimony.

22 Therefore, even if Plaintiff had alleged a disparate impact theory of discrimination in his
23 First Amended Complaint, the time to designate any statistical experts has passed. (The parties
24 continued until no later than March 30th the date by which the parties must designate expert
25 witnesses. Plaintiff has not designated any expert witnesses. (Ching-Senaha Suppl. Decl.)

**3. Moreover, Amtrak Already Provided The Information In
Interrogatory Responses and Prior Document Productions**

In August 2006, Amtrak produced all applications and related records that it received in response to each of the jobs/vacancies for which Plaintiff contends he applied. Therefore, Plaintiff already has every application that Amtrak received for every Engineer positions at issue, including applicant names, job history and experience, and other identifying information.

As for applications that Plaintiff never made, Amtrak produced on March 7th interrogatory responses that detail virtually all of information that Plaintiff now seeks through this motion to compel. For example, in response to Plaintiff's INTERROGATORY NO. 7 (not at issue in this motion), Plaintiff asked Amtrak to state the total number of engineers hired in the Pacific Division by year between January 1998 to the present, to which Amtrak responded: "1999 (first year for which the requested information is available): 16; 2000: 22; 2001: 10; 2002: 7; 2003: 6; 2004 (last year for which the requested information is available): 16." Ching-Senaha Suppl. Decl.

**4. The Requests Are Overbroad in Time and Scope, And Involve
Fundamental Rights to Privacy**

Plaintiff's motion essentially boils down to documents requests on every hire of every Conductor and Engineer over a nine-year for Amtrak's entire Pacific Division (which includes San Jose, Sacramento, and numerous other locations through the Pacific Northwest, extending as far South as San Luis Obispo, as far West as Grand Junction, Colorado and as far Northeast as Minot, North Dakota) -- locations at which Plaintiff never worked and he admits he never wanted to work), including but not limited to applications, resumes, and offer letters -- all of which have absolutely nothing to do with the allegations in the First Amended Complaint and are confidential records protected by the California and United States constitutional rights of privacy. Thus, these requests are not only unduly burdensome and oppressive, they are also overbroad in scope and constitutionally protected.¹

¹ *Board of Trustees of Leland Stanford Junior University v. Superior Court*, 119 Cal.App.3d 516 (1981) (personnel records subject to Constitutional right of privacy); *Valley Bank of Nevada v. Superior Court*, 15 Cal.3d 652, 657 (1975) (A party to an action may assert the privacy rights of third parties such as its employees); *Harding Lawson Assoc. v. Superior Court*, 10 Cal.App.4th 7, 10 (1992); *Onwuka v. Federal Express Corp.*, 178 F.R.D. 508, 517 (7th Cir. D.

Moreover, Plaintiff inappropriately attempts to discover this information for the last nine years even though Joe Deely, the Superintendent of the Pacific Division, had no say in hiring and promotions at any time and did not oversee the Pacific Division prior to November 2002. *See e.g.* Follis Decl., Shelton Decl. and Deely Decl. Plaintiff contends that Deely influenced ever hire and promotion; however, Deely did not arrive to the Pacific Division until late 2002. (Ching-Senaha Suppl. Decl.) Therefore, Plaintiff's attempt to discover information prior to November 2002 is improper.

5. Discovery Relating to Conductors Of Any Race Is Irrelevant

The rate at which Amtrak hired, promoted and fired *Conductors* and African-American *Conductors* within the Pacific Division is irrelevant because Plaintiff does not allege that Amtrak failed to hire and promote *Conductors*. The issue in this litigation is whether Amtrak singled Plaintiff out because of his race when it failed to promote him to *Engineer* and when it terminated his employment. (Amtrak promoted Plaintiff at least twice during his employment.) Therefore, Plaintiff's motion to compel Requests 22, 23, 26, 27 and 28 (relating to Conductors) should be denied.

For all of these reasons, Plaintiff's document requests should be denied, or at the very least, narrowly tailored to the issues and evidence in this case.

* * * *

REQUEST NO. 23:

All DOCUMENTS THAT REFLECT, REFER or RELATE TO the race of all conductors who were voluntarily or involuntarily terminated in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to

Minn. 1997) (recognizing the privacy rights of third-parties to avoid the disclosure of their personal information).

the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:

None provided by Plaintiff.

REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:

Amtrak hereby incorporates by reference as though fully set forth herein the same reasons stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the same passages.

* * *

REQUEST NO. 24:

All **DOCUMENTS THAT REFLECT, REFER or RELATE TO** the total number of African-American engineers hired in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:

None provided by Plaintiff.

REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:

Amtrak hereby incorporates by reference as though fully set forth herein the same reasons stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the same passages.

* * *

REQUEST NO. 25:

All DOCUMENTS THAT REFLECT, REFER or RELATE TO the total number of engineers hired in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:

None provided by Plaintiff.

REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:

Amtrak hereby incorporates by reference as though fully set forth herein the same reasons stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the same passages.

* * *

REQUEST NO. 26:

All DOCUMENTS THAT REFLECT, REFER or RELATE TO the total number of conductors employed in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:

None provided by Plaintiff.

REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:

Amtrak hereby incorporates by reference as though fully set forth herein the same reasons stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the same passages.

* * *

REQUEST NO. 27:

All DOCUMENTS THAT REFLECT, REFER or RELATE TO the total number of African-American conductors employed in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:

None provided by Plaintiff.

REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:

Amtrak hereby incorporates by reference as though fully set forth herein the same reasons stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the same passages.

* * *

REQUEST NO. 28:

All DOCUMENTS THAT REFLECT, REFER or RELATE TO the total number of African-American conductors who applied for engineer position(s) in the Pacific Division of Defendant AMTRAK from January 1998 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Defendant objects to this request on the basis it is overbroad, compound, and unduly burdensome. Defendant further objects to this request as seeking information neither relevant to the claim or defense of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this request to the extent it seeks to obtain information or materials protected from disclosure by the California Constitutional right of privacy and/or the federally recognized right to privacy under the United States Constitution. See Board of Trustees of Leland Stanford Junior University v. Superior Court (1981) 119 Cal.App.3d 516 (personnel records subject to Constitutional right of privacy); Valley Bank of Nevada v. Superior Court (1975) 15 Cal.3d 652, 657 (A party to an action may assert the privacy rights of third parties such as its employees.); Tylo v. Superior Court (1997) 55 Cal.App.4th 1379, 1387 (“[t]he party seeking the constitutionally protected information has the burden of establishing that the information sought is directly relevant to the claims.”); Johnson by Johnson v. Thompson (10th Cir. 1992) 971 F.2d 1487, 1497; Miller v. Federal Express Corp. (WD TN 1999) 186 FRD 376, 384; Matter of Hawaii Corp. (D HI 1980) 88 FRD 518, 524. In addition, Amtrak objects to this request to the extent it calls for documents protected from disclosure by the attorney-client privilege and the attorney work product doctrine. Subject to and without waiving the foregoing, Amtrak responds as follows:

Amtrak previously produced applications and related records that it received in response to the jobs/vacancies to which Plaintiff contends he applied. To the extent any Amtrak conductor applied for any such position, such application and supporting documentation have been

1 produced.

2 **REASONS WHY FURTHER RESPONSE SHOULD BE COMPELLED:**

3 None provided by Plaintiff.

4 **REASONS WHY NO FURTHER RESPONSE SHOULD BE COMPELLED:**

5 Amtrak hereby incorporates by reference as though fully set forth herein the same reasons
6 stated with regard to Interrogatory No. 9. In the interest of brevity, Amtrak does not repeat the
7 same passages.

8
9 Respectfully submitted,

10
11 Date: April 10, 2007

JACKSON LEWIS LLP

12
13 By: /s/ Cara Ching-Senaha

14 Kathleen Maylin
15 Cara Ching-Senaha
16 Attorneys for Defendants
17 NATIONAL RAILROAD PASSENGER
18 CORPORATION dba AMTRAK and
19 JOE DEELY

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RFP)\SEPARATE STMT of IOGS in dispute CMC 041707.doc